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8 *James Moore*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**
12

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 JAMES MOORE,
17 Defendant.

Case No. 2:16-cr-00325-JCM-NJK
**STIPULATION TO CONTINUE
REVOCATION HEARING**
(Fifth Request)

18 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher
19 Mishler, counsel for James Moore, Jason Frierson, United States Attorney, and
20 Jim Fang, Assistant United States Attorney, counsel for the United States of
21 America, that the revocation hearing currently scheduled for May 25, 2022, at
22 10:30 a.m., be vacated and set to a date and time convenient to this Court, but no
23 sooner than ninety (90) days.

24 The Stipulation is entered into for the following reasons:

- 25 1. Defendant is deaf which has created difficulty in communicating with
26 client regularly in order to prepare the case for the hearing.
2. Counsel requires additional time to discuss the case with defendant.
3. The defendant is detained and agrees to the continuance.

1 4. The parties agree to the continuance.

2 5. The additional time requested herein is not sought for purposes of
3 delay, but merely to allow counsel for defendant sufficient time within which to be
4 able to effectively and complete investigation of the discovery materials provided.

5 6. Additionally, denial of this request for continuance could result in a
6 miscarriage of justice.

7 This is the fifth stipulation to continue filed herein.

8 DATED this 12th day of May, 2022.

9
10 By /s/ Christopher Mishler
11 CHRISTOPHER MISHLER
12 Counsel for James Moore

JASON FRIERSON
United States Attorney

By /s/ Jim Fang
JIM FANG
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 UNITED STATES OF AMERICA,

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FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

10 FINDINGS OF FACT

11 Based on the pending Stipulation of counsel, and good cause appearing
12 therefore, the Court finds that:

13 1. Counsel for the defendant needs additional time to effectively
14 communicate with defendant regarding the case and discuss how to proceed with
15 hearing.
16

17 2. The defendant is detained and agrees to the continuance.

18 3. The parties agree to the continuance.

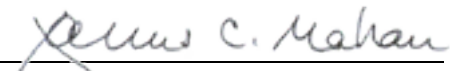
19 4. The additional time requested herein is not sought for purposes of
20 delay, but merely to allow counsel for defendant sufficient time within which to be
21 able to effectively and complete investigation of the discovery materials provided.

22 5. Additionally, denial of this request for continuance could result in a
23 miscarriage of justice.
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ORDER

IT IS THEREFORE ORDERED that the revocation hearing currently scheduled for May 25, 2022, at the hour of 10:30 a.m., be vacated and continued to **August 24, 2022, at 10:00 a.m.**

DATED May 13, 2022.


UNITED STATES DISTRICT JUDGE